

Remarks/Arguments

The Office Action mailed December 10, 2003 has been carefully considered. Claim 33 stands rejected under 35 U.S.C. 102 (e) as being anticipated by Laverty et al., U.S. Patent No. 6,429,947. Claims 1-10, 14-22, 24-32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Laverty et al., U.S. Patent No. 6,429,947 in view of Chase, U.S. Patent No. 6,611,348. Applicant respectfully requests reconsideration and allowance of Claims 1-22 and 24-33 in view of the following:

The Present Invention Is Novel Over Laverty et al. (U.S. Patent No. 6,429,947)

As stated in MPEP §2131, a claim is anticipated under §102 only if each and every element as set forth in the claim, in every detail, is found in a single prior art reference. The claimed invention, according to independent claim 33 as currently amended, includes acts involved in correcting errors that occur in converting a vector graphics file into a raster image file.

The primary reference, Laverty et al., does not disclose the error correction called for in claim 33 of the present application as currently amended. In particular, Laverty does not disclose or suggest opening the modified bitmap graphics data file with a first drawing program, examining the modified bitmap graphics data file for text errors by visually comparing the modified bitmap graphics data file's raster image on a computer monitor to replicated printed material derived from a corresponding vector graphics file. Then, closing and reopening the bitmap graphics data file with a different drawing program and/or different computer if text errors are found during

examination of the file's raster image, followed by repeating the examination and closing and reopening steps until no errors are present in the modified bit map graphics file. Instead, Lavery et al. only contemplates correcting errors using an automated process using an individual computer and not by visually comparing the raster image of a modified bitmap graphics data file to replicated printed material derived from a corresponding vector graphics file. Moreover, Lavery et al., does not contemplate reopening the modified bitmap graphics data file on a different computer in an attempt to eliminate text errors.

As such, Lavery et al. does not anticipate claim 33. Support for the new language of claim 33 can be found as original in the present application starting on page 9, lines 1-26. Thus, no new matter has been added by this amendment.

The Present Invention Would Not Have Been Obvious From Lavery In View Of Chase et al.

The present invention relates to the conversion of vector graphics files to files suitable for printing on a non-commercial printer that receives image data over the Internet. In particular, the vector graphics are converted to raster graphics for online catalog web pages that can be inexpensively reproduced on a desktop RGB printer located in a home or retail environment, such as a retail furniture store.

The preferred embodiment of the invention is particularly well suited for producing electronic equivalents of paper print retail catalogs, wherein the electronic catalogs appear to be substantially identical to the paper print retail catalogs. Retailers can promote and sell merchandise such as furniture over the Internet to general

viewers and prospective customers using the electronic catalogs of the present invention. Moreover, the preferred embodiment can be used to provide an in-store reprint of selected catalog pages using a non-commercial printer.

On the other hand, Lavery et al. relates to hosting pre-press applications in a printing system that allows automation of printing. Lavery et al. contemplates using the Internet for a commissioning customer to provide feedback for the print jobs to be carried out at commercial printing facilities using large, commercial, CMYK printers. Lavery does not contemplate using the Internet in such a way as to allow general viewers and potential customers on the Internet to print individual copies of catalog pages using non-commercial printers.

Nor does Chase et al. contemplate producing electronic equivalents of paper print retail catalogs using non-commercial printers commonly found in a home or retail environment. Instead, Chase et al. only contemplates a printing and publishing system that is made available to system subscribers using computers equipped with the AppleTalk protocol. File processing operations made available to the system's users are transferred via the AppleTalk protocol to a commercial printing facility that, again, uses large, commercial, CMYK printers.

There is no suggestion or motivation in either Lavery or Chase et al. to make customer-specific pages generated available on the Internet for the general public to view and also print using non-commercial printers. Therefore, an obviousness rejection based on Lavery or Chase et al. would be inappropriate. As the MPEP provides in Section 2143.01:

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Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." *In re Kotzab*, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also *In re Lee*, 277 F.3d 1338, 1342-44, 61 USPQ2d 1430, 1433-34 (Fed. Cir. 2002) (discussing the importance of relying on objective evidence and making specific factual findings with respect to the motivation to combine references); *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

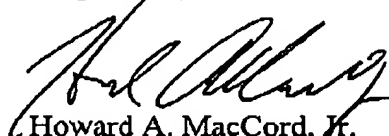
**FACT THAT REFERENCES CAN BE COMBINED OR
MODIFIED IS NOT SUFFICIENT TO ESTABLISH
PRIMA FACIE OBVIOUSNESS**

The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990) (Claims were directed to an apparatus for producing an aerated cementitious composition by drawing air into the cementitious composition by driving the output pump at a capacity greater than the feed rate. The prior art reference taught that the feed means can be run at a variable speed, however the court found that this does not require that the output pump be run at the claimed speed so that air is drawn into the mixing chamber and is entrained in the ingredients during operation. Although a prior art device "may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so." 916 F.2d at 682, 16 USPQ2d at 1432.). See also *In re Fritch*, 972 F.2d 1260, 23 USPQ2d 1780 (Fed. Cir. 1992) (flexible landscape edging device which is conformable to a ground surface of varying slope not suggested by combination of prior art references).

Furthermore, none of the prior art cited, but not applied, teach, mention or suggest alone or in combination any of the above limitations. Therefore, in view of

the foregoing amendments and for the above reasons, it is believed that this application is now in condition for allowance. If unresolved issues remain, the Examiner is invited to telephone applicant's attorney at the number below.

Respectfully submitted,



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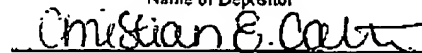
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